

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:10CR3083
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
GLENN A. WOODARD,)	
)	
Defendant.)	

This matter is before the court on Magistrate Judge Zwart's findings and recommendation. (Filing [48](#).) The defendant has filed a statement of objections (filing [50](#)) pursuant to [NECrimR 59.2](#) and [28 U.S.C. § 636\(b\)\(1\)](#). The magistrate recommends that defendant's motion to dismiss (filing [41](#)) and statement of objections (filing [50](#)) be denied.

I have conducted a de novo review of the record. I find that inasmuch as the magistrate judge has fully, carefully, and correctly found the facts and applied the law, the magistrate judge's findings and recommendation should be adopted and the defendant's motion to dismiss and statement of objections should be denied.¹

¹I note that the defendant argues that the magistrate did not address the defendant's argument regarding deficiencies in the indictment. (Filing [51](#) at CM/ECF p. 2.) However, the magistrate previously determined that the indictment was sufficient. (Filing [32](#) at CM/ECF p. 6.) The indictment is legally sufficient pursuant to [Fed. R. Crim. P. 7\(c\)\(1\)](#).

Accordingly,

IT IS ORDERED that:

1. The magistrate judge's findings and recommendation (filing [48](#)) is adopted.
2. The defendant's statement of objections (filing [50](#)) is denied.
3. The defendant's motion to dismiss (filing [41](#)) is denied in all respects.

DATED this 10th day of May, 2011.

BY THE COURT:

s/ Richard G. Kopf

United States District Judge

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